

FWP COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: November 8, 2012

Agenda Item: Aspen Trails Proposed Fishing Access Site

Division: Fish and Wildlife (Fisheries Bureau) **Action Needed:** Endorse Course of Action

Time Needed on Agenda for this Presentation: 10 minutes

Background:

The Prickly Pear Land Trust (PPLT) is in the process of establishing a conservation easement on a 266-acre parcel of farmland that is currently owned by a bank. The parcel is adjacent to Prickly Pear Creek, near Helena, and PPLT wishes to donate a 35-acre portion of the parcel to FWP for the purpose of providing fishing access to the creek. The remainder of the parcel (231 acres) would go to an independent (private) buyer. The 35-acre parcel consists primarily of riparian habitat along Prickly Pear Creek and includes approximately 0.3 mile of a small spring creek that merges with Prickly Pear Creek near the middle of the parcel. Prickly Pear Creek has a high quality seasonal fishery and a resident fishery that has benefitted from recent improvements in flow regimes. The spring creek on the property has high restoration potential. Currently there are no formal public access sites on Prickly Pear Creek and access must be gained either at county road bridges, on DNRC land, or through permission from private landowners. There are several outbuildings and a house on the property that would be removed prior to FWP accepting the donation (PPLT has already completed an environmental audit of the property and did not discover any environmental hazards). One of the outbuildings is an ice house that might have some local historic significance and is potentially in good enough condition to retain on the property. Additional research will need to be done before any decisions can be made in regard to this one structure. FWP is asking the Commission to endorse moving ahead with negotiating the donation of this parcel. FWP would come back to the Commission with a final recommendation on acquiring the property.

Public Involvement Process & Results:

To date FWP has not conducted any public involvement in regard to acquiring this parcel via donation. The Prickly Pear Land Trust has contacted most of the adjacent landowners about establishing the conservation easement and received wide spread support. If the Commission endorses further investigation into this acquisition, FWP will prepare an Environmental Assessment, solicit public comment, and incorporate comments into a final decision notice and recommendation to the Commission.

Alternatives and Analysis:

At this point in the process no alternatives have been discussed or considered. FWP will, however, consider two alternatives in the environmental analysis process: acquisition of the property through a donation, and a “no action” alternative.

Agency Recommendation & Rationale:

FWP recommends that the Commission endorse efforts to pursue acquisition of a fishing access site on Prickly Pear Creek through a donation from the Prickly Pear Land Trust. There are currently no formal access sites on this creek and public access is limited to bridge crossings, on DNRC land, or through permission from private landowners. This site would secure public access and provide angling opportunities.

Proposed Motion:

“I move that the Commission endorse the Department working with the Prickly Pear Land Trust on the details of the potential donation of property on Prickly Pear Creek located within the Helena valley.”